

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Matthew Angyal, et al.	Date: June 15, 2009
Serial Number: 10/597,038	Examiner: Mamadou L. Diallo Confirmation No. 5103
Filed: 7/07/2006	Group Art Unit: 2895
Title: Gradient Deposition of Low-K CVD Materials	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated May 28, 2009.

The Examiner in the aforementioned Office Action has required restriction under 35 U.S.C. 121 and 372.

Applicants as required, presently elect a single invention to which the pending claims are restricted.

GROUP I, Claims 1-17 drawn to a dielectric layer;

GROUP II, Claims 18-21, drawn to a method of forming a dielectric layer.

Applicants elect to prosecute the invention of GROUP I, consisting of Claims 1-17, and withdraw from consideration the claims forming GROUP II, as being drawn to